SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 580 be amended to read as follows:

1   Page 6, line 12, delete ":" and insert "**provides services or labor**
2 **for an employer for wages or other remuneration.**".
3   Page 6, delete lines 13 through 18.
4   Page 6, line 37, delete "has the meaning set" and insert "**means**
5 **knowledge that may fairly be inferred through notice of certain**
6 **facts and circumstances that would lead a person, through the**
7 **exercise of reasonable care, to know that an employee is unlawfully**
8 **present in the United States.**".
9   Page 6, delete line 38.
10   Page 8, line 16, delete ", 18, and 19" and insert "**and 18**".
11   Page 8, line 22, delete "one (1)" and insert "**three (3)**".
12   Page 8, line 40, delete "five (5)" and insert "**ten (10)**".
13   Page 9, delete lines 11 through 28.
14   Page 9, line 29, delete "19." and insert "**18.**".
15   Page 9, line 30, delete "fourth" and insert "**third**".
16   Page 9, line 34, delete "20(a)" and insert "**19(a)**".
17   Page 9, line 35, delete "20." and insert "**19.**".
18   Page 10, line 2, delete ", 17(3), or 18(3)" and insert "**or 17(3)**".
19   Page 10, line 8, delete ", 17(3), or 18(3)" and insert "**or 17(3)**".
20   Page 10, line 11, delete ", 17(3), or 18(3)" and insert "**or 17(3)**".
21   Page 10, line 14, delete "21." and insert "**20.**".
22   Page 10, line 17, delete "19" and insert "**18**".
23   Page 10, line 30, delete "22." and insert "**21.**".
24   Page 10, line 31, delete "20(b)" and insert "**19(b)**".
25   Page 10, line 32, delete "20(a)" and insert "**19(a)**".
26   Page 10, line 34, delete "19" and insert "**18**".
27   Page 10, line 36, delete "20(a)" and insert "**19(a)**".
28   Page 10, line 38, delete "23." and insert "**22.**".
29   Page 10, line 39, delete "19, and 20" and insert "**and 19**".
30   Page 10, line 41, delete "24." and insert "**23.**".
31   Page 11, line 11, delete "25." and insert "**24.**".

1   Page 11, delete lines 16 through 19, begin a new paragraph and
2   insert:
3   **"Sec. 25. There is a rebuttable presumption that an employer**
4   **did not knowingly employ an unauthorized alien in violation of**
5   **section 10 of this chapter if the employer complied in good faith**
6   **with the requirements of 8 U.S.C. 1324a(b).**
7   **Sec. 26. A court shall dismiss an action against an employer filed**
8   **under section 14 of this chapter for knowingly employing an**
9   **unauthorized alien if the employer establishes:**
10   **(1) that the employee performed agricultural labor or**
11   **provided services of a temporary or seasonal nature as**
12   **described in:**
13   **(A) 8 U.S.C. 1101(a)(15)(H)(ii)(a); or**
14   **(B) 8 U.S.C. 1101 (a)(15)(H)(ii)(b); and**
15   **(2) that the employer has complied in good faith with all**
16   **federal laws and regulations governing the foreign worker**
17   **program described in:**
18   **(A) 8 U.S.C. 1101(a)(15)(H)(ii)(a); or**
19   **(B) 8 U.S.C. 1101(a)(15)(H)(ii)(b).".**
20   Page 11, line 21, delete "23" and insert "**22**".
21   Page 16, line 5, delete "IC 22-5-1.5-25" and insert "**IC 22-5-1.5-24**".
    (Reference is to SB 580 as printed February 20, 2009.)

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Senator DELPH